



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,026	11/25/2003	Hyun Woo Oh	5895P049	8846
8791 7590 03/17/2009 BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040				
EXAMINER				
HADIZONOZO, BANAFSHEH				
ART UNIT		PAPER NUMBER		
3715				
MAIL DATE		DELIVERY MODE		
03/17/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/723,026

Applicant(s)

OH ET AL.

Examiner

Banafsheh Hadizonooz

Art Unit

3715

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/19/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/19/2008 has been entered. This office action is **Non-Final**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gomas et al (US 2004/0186713) in View of Putman et al. (US 2008/0086564) .

[Claims 1, 8, 11]: Regarding claim 1, Gomas discloses a communication service system for disabled persons, comprising:

a terminal unit (e.g. client computer) implemented for a disabled person and a non-disabled person that access a wired/wireless integrated network and desire to be provided with communication services (See P.1, [0011]), a communication interface for the wired/wireless (e.g. portable electronics) integrated network (See P.2, [0023]), and providing voice and/or text communication services for the disabled person (See Fig.4,

element 127). Gomas does not specifically disclose a communication characteristics registered with respect to the disabled person and the non-disabled person. However Putman discloses a communication application server wherein the communication characteristics are registered and wherein the API communication interface operates to allow existing third party application service to access the wired/wireless network (See [0110] and [0210]). Putnam further discloses voice/text communication between the users (See [0035]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gomas' invention to provide an efficient way to recognize the best mode of communication between the disabled person and the server computer or the users without disabilities.

[Claim 2]: Regarding claim 2, Gomas further discloses a communication service system, wherein the terminal unit has user interfaces with communication characteristics for the communication services which can be used by a non-disabled person, an auditory disabled person, a visually disabled person, and a speed disabled person, respectively (See P.2, [0022]—[0024]).

[Claim 3]: Regarding claim 3, Gomas discloses a system, wherein the non-disabled person has communication characteristics of hearing, speaking, reading and writing that are used as an interface, the visually disabled person has communication characteristics of hearing, speaking and writing that are used as an interface(See P.2, [0024]-[0025]).

[Claim 4]: As per claim 4, Putnam further disclose an open API gateway unit which supports well known protocols including Session Initiation Protocol (SIP) and exploits middleware, such as Extensible Markup Language (XML) so as to communicate with the open API communication server. Gomas/Putnam donot specifically disclose Media Gateway Control (MAGACO) protocol, H. 323 protocol, Integrated Services Digital Network (ISDN) User Part (ISUP), Mobile Application Protocol (MAP), Intelligent Network Application Protocol (INAP), and Capabilities Application Protocol (CAP). However, it would have been obvious to use one of the well known supporting protocols to communicate with the API communication server.

[Claim 5]: Regarding claim 5, Gomas discloses a system comprising a framework unit (e.g. interface) for performing a plurality of functions including access to the communication services, authentication and discovery of the communication services (See P.4, [0065]), integrity management, load management, and fault management; and a service capability feature unit for providing a plurality of functions, including call control, messaging, user interaction, terminal capabilities, mobility, connectivity, presence and availability, and service routing, so as to allow application services to use resources and functions of the network (See P.4, [0064]-[0067]).

[Claim 6]: With respect to claim 6, Gomas discloses wherein the communication server unit is operated so that, if a connection request is received from a specific user terminal to use a corresponding communication service, the server unit routes the communication service to the voice and text conversion unit when

voice and/or text conversion is required in consideration of communication characteristics of transmitting and receiving user terminals, and provides a communication service corresponding to voice and/or text returned from the voice and text conversion unit (See P.2, [0030]-[0031], and Fig.4).

[Claim 7]: Regarding claim 7, Gomas further discloses a communication service unit for providing the communication service in consideration of communication characteristics between terminals of disabled persons and between terminals of a non-disabled person and a disabled person (See P.1, [0011]); a connection unit for supporting an interface with the wired/wireless integrated network and setting up a call in response to a communication service request received from the user (See P.4, [0062]); a service routing unit for routing a corresponding communication service to support conversion into voice and/or text data in consideration of the characteristics of the respective terminals at the time of providing the communication service (See P.7, [0095]). Gomas does not specifically disclose a registration unit for registering characteristics of the respective terminals when the terminals use the communication service first time. However, Putman discloses a communication application server wherein the communication characteristics are registered and wherein the API communication interface operates to allow existing third party application service to access the wired/wireless network (See [0110] and [0210]). Putnam further discloses voice/text communication between the users (See [0035]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to

modify Gomas' invention to provide an efficient way to recognize the best mode of communication between the disabled person and the server computer or the users without disabilities.

[Claim 9]: Regarding claim 9, Gomas discloses a system wherein the communication characteristics of the terminals include hearing, speaking, reading and writing communication characteristics (See Abstract).

[Claim 10]: Putnam discloses a system further comprising the step of setting up a call from the transmitting user terminal to the opposite user terminal in response to the communication establishment request at step b) (See [0209]).

Response to Arguments

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Banafsheh Hadizonooz whose telephone number is 571-272-1242. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272- 7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BH

/Cameron Saadat/
Primary Examiner, Art Unit 3715